EXTENSIONS OF REMARKS

ALFRED M. LENTO, "CITIZEN OF MERIT"

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. GAYDOS. Mr. Speaker, in every society there are those who see where a crowd is going and follow it. There are others who step in front of it.

Those are the leaders. The movers, the shakers, the people who make things happen for other people.

Nationally and internationally, such individuals receive widespread recognition for their efforts and accomplishments. Locally, such contributions often go unnoticed.

That is not the case, however, in Bethel Park, Pa., where on August 9, 1982, borough officials formally commended a man—Alfred M. Lento—for his work in promoting the future industrial development and economic growth of the community. He was duly recognized as a "Citizen of Merit" by Mayor Reno Virgili during a ceremony in the municipal building.

Specifically, Mr. Lento was cited for his record of civic service and for convincing county, State, and Federal authorities of the viability for industrial progress in the borough. His efforts, the borough council noted, opened the door for business expansion and stimulated job opportunities in a variety of fields.

His success in the endeavor can be traced to the interest and activity of the Bethel Park Industrial Association, an organization of 94 firms which Mr. Lento welded together in a common bond and which he now serves as chairman.

Mr. Lento was highly qualified to lead the association. He is a man who believes success comes in "cans," failures in "can'ts." He is a businessman in his own right, heading a steel fabricating company employing 40 people and the spearhead of an effort to develop a multi-million-dollar shopping center project that ultimately will provide another 200 jobs in the borough.

His ability to perceive future possibilities has long been recognized by his peers. Mr. Lento has been a member of the borough's zoning and planning board for 5 years and currently fills the position of chairman. He also is secretary-treasurer of the Allegheny County Redevelopment Authority and twice has been honored by that organization for his achievements. The Bethel Park School District has cited Mr. Lento for his support of its vocational-educational work-study program for students.

Mr. Lento is more than just a credit to the businessmen of Bethel Park and Allegheny County, Pa. He typifies the dedicated small businessmen of America, who believe that only in the dictionary does success come before work.

Mr. Speaker, on behalf of my colleagues in the Congress of the United States, I congratulate Mr. Lento on his meritorious award and the Bethel Park Borough Council for its recognition of his contribution to the community—and the country.●

AN ALTERNATIVE TO THE CONVENTIONAL CONSTRUCTION OF MILITARY FAMILY HOUSING

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. ST GERMAIN. Mr. Speaker, I am today introducing legislation aimed at correcting a major deficiency in our current housing policy regarding our military departments. The domestic leasing authority of these departments, for every purpose including family housing, limits the term of any lease to 12 months. Moreover, existing law narrows the leasing of such housing to a small number of situations covered by very selective specific criteria.

The overall effect of these limitations has been to deny the military departments the option of long-term housing leases as an alternative to construction, even if such leasing were the most economic choice, or as it is in a number of cases, the sole practical choice.

In a number of communities, such as Norfolk, Va., and Newport, R.I., adequate suitable housing to satisfy military department needs is lacking, and cannot be overcome either through individual leasing, the various housing allowances permitted, or otherwise. Moreover, Government land for the construction of such housing is either limited or unavailable. These problems are compounded by the fact that acquisition of land for new construction is often opposed locally because such steps would have the effect of removing property from the tax rolls while increasing the local costs of necessary services such as schools, police, and fire protection.

All these problems considered, it is becoming clear that conventional construction of family housing is not a practical answer in a number of cases—for either the departments or the local communities involved.

In light of this growing problem, community leaders and others in these towns and cities have been exploring the idea of legislation authorizing 25-year leases for housing as a means of overcoming the problem. Bankers, builders, the mortgage lending institutions, and others involved are of the general opinion that a 25-year lease could induce private industry to build such housing, and that a 25-year lease would be the minimum necessary for construction financing. From the viewpoint of economic understanding, study of this type of option will show that a 25-year lease can be as cost effective as conventional construction, thus offering a cost savings to both the military departments and the taxpayer.

Mr. Speaker, the legislation I introduce today has the special benefit of providing these impacted communities with a lease-form that would be "bankable" and by which the developer, along with the community could secure financing on the merit of financial commitments the military departments would be able to make.

I insert the bill in the RECORD at this point:

H.R. 6991

A bill to amend title 10, United States Code, to authorize an alternative to the conventional construction of military family housing within the United States, Puerto Rico, and Guam

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Chapter 169 of title 10, United States Code, is amended by adding at the end thereof the following new section: "§ 2833. Leases: alternative to the conventional construction of military family housing within the United States, Puerto Rico, and Guam

(a) Notwithstanding 31 USC 665, 41 USC 11, and 10 USC 2828 family housing projects within the United States, Puerto Rico, and Guam specifically authorized by law in an annual military construction authorization act, or otherwise required, may, if the Secretary of Defense determines it to be in the best interest of the government, be acquired by lease for any period not in excess of 25 years, and the costs of such leasing for any year may be paid out of annual appropriations for operation and maintenance for that year.

(b) No lease shall be made under this section for which the average estimated annual rental during the term of the lease exceeds $250,000 until after the expiration of thirty days from the date upon which a report of the facts concerning the proposed lease is submitted to the Committees on Armed Ser-

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

vices of the Senate and House of Representatives.".

(2) The table of sections at the beginning of Subchapter II of Chapter 169 of title 10, United States Code, is amended by adding at the end thereof the following new item: "2833. Leases: alternative to the conventional construction of military family housing within the United States, Puerto Rico, and Guam.".

SEC. 2. The amendment made by the first section of this Act shall apply only with respect to housing units first authorized to be constructed or acquired for a fiscal year beginning after September 30, 1982.

EXPLANATION OF THE NEW PROVISION

Section 2833 adds a new provision to title 10, United States Code, to allow the Secretary of Defense to acquire family housing projects in the United States, Puerto Rico, and Guam, by lease where the cost will be covered by periodic payments over a term not to exceed 25 years. The Committee recognizes that conventional construction will be the choice in most domestic projects for the acquisition of family housing, but that from time to time it will be more economic to buy over a term, or that this will be the only available option. The legislation gives the Secretary of Defense a useful additional acquisition tool for use in those circumstance. To insure its judicious use, reporting requirements like those for overseas leases are included in the new provision. Thus family housing projects at any location within or without the United States may now be acquired through leases up to 25 years, provided the Secretary of Defense determines that it is in the government's interest to do so, and the Committees have the opportunity to review the terms of the transaction and the circumstances under which the alternative is to be applied. The Committee wishes to emphasize that, as noted above, this is an option to conventional construction of projects, and that this new provision is independent of and not intended to bear on or be encumbered by the domestic leasing program for individual or groups of units already in being that may be leased under 10 USC 2828.

THE LAST BEST CHANCE FOR HOUSING

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. WYDEN. Mr. Speaker, less than a month ago, my colleagues DICK GEPHARDT, BARBER CONABLE, and I made a joint statement introducing H.R. 6781, the Residential Mortgage Investment Act of 1982.

This bill represents a marketplace solution to the most pressing problem facing the beleaguered housing industry today: a severe shortage of affordable mortgage capital.

It is designed to eliminate the unnecessary regulatory impediments that have discouraged private pension fund managers—who control a vast $300 billion pool of capital—from investing in housing and mortgage-backed securities.

By removing these regulatory obstacles, which apply exclusively to investments in housing, H.R. 6781 will open up billions of dollars of new capital for the capital-starved housing market. This in turn is bound to create downward pressure on mortgage interest rates.

Our bill has quickly attracted a tremendous amount of support on both sides of the aisle. More than 220 of our colleagues have agreed to cosponsor H.R. 6781.

It is heartening to those who fought a valiant but ultimately unsuccessful battle for emergency housing stimulus legislation to know that a majority of the House agrees with us that there is still time to pass a major housing bill in this Congress.

We have been calling our bill the "no-cost," "no-subsidy housing" bill because it contains no hidden subsidies and will not cost the taxpayers 1 cent.

All our bill does is implement a key recommendation of the President's Commission on Housing by allowing mortgages and mortgage-backed securities to compete for the attention of pension fund managers on an equal footing with other prudent investment options.

We believe that mortgages are not second-class investments and that there is no sound economic reason for treating them as second-class investments. Real estate investments are sound, safe, and fully collateralized.

Because of unprecedented financing costs, less than 5 percent of American families can afford to buy a new home and unemployment in the construction industry is twice the national average.

We must not shrug our shoulders and say that there is nothing we can do to come to the rescue of home buyers and homebuilders.

We cannot turn our backs on the millions of Americans who have been denied the American dream of homeownership.

We cannot turn our backs on the thousands of carpenters and builders who have been thrown out of work in the wake of the worst housing slump in more than 40 years.

More than 220 of our colleagues do not want to go home this year until we have done something for the beleaguered housing industry.

I urge my colleagues who have not yet signed on to H.R. 6781 to join us immediately and I urge all Members to enthusiastically support quick action and passage of this vital piece of legislation.●

YEAREND SPENDING SPREES

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. COELHO. Mr. Speaker, yesterday I introduced H.R. 6970, legislation designed to prevent yearend spending sprees of Government agencies. The language is identical to that approved as part of H.R. 4717 in the 96th Congress by the Committee on Government Operations. Regrettably, H.R. 4717 did not see action on the House floor despite committee approval.

In its June 28, 1982, issue, U.S. News & World Report reported that key bureaucrats were being warned to stay on the job in August and September to "make sure they spend all their allotted money before the Government's fiscal year ends on September 30."

It appears we in Congress have been so caught up in the budget debate for the past 2 years that this issue just has not received the attention it deserves.

Mr. Speaker, for the convenience of my colleagues who may wish to cosponsor the bill with me, I include at this point in the RECORD the text of H.R. 6970.

H.R. 6970

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) no department or independent agency of the executive branch shall obligate, during the last two calendar months of fiscal year 1983, 1984, or 1985, more than 20 percent of its total controllable budgetary resources (determined in accordance with subsection (e)(2)) for such fiscal year.

(b)(1) The Director may authorize a waiver for any agency from the requirements of subsection (a)—

(A) if and to the extent the Director determines necessary to assure that a serious disruption in the execution of any of the agency's programs or operations would occur in the absence of such waiver, and

(B) if the Director has submitted a written report on such waiver to the Congress as early as practicable and before the agency involved has obligated an amount which exceeds the 20-percent requirement in subsection (a).

(2) Nothing in this subsection shall be construed to authorize the Director to authorize a waiver of any requirement of any provision of law which is similar or comparable to subsection (a).

(c) The head of each department and independent agency of the executive branch shall submit a report to the President and the Congress not later than 90 days after the close of each of the fiscal years 1983, 1984, and 1985 describing such department's or agency's compliance with subsection (a)(2). Each such report shall specify the total controllable budgetary resources for such fiscal year (determined in accordance with subsection (e)(2)) and the amount of such resources obligated in the last two calendar months of such fiscal year. In the event that the resources so obligated in such months exceeds 20 percent of such

total resources, such report shall contain an explanation of the reasons for the failure to comply with the requirements of subsection (a)(2) and identify any authorization for a departure from such requirements obtained from the Director of the Office of Management and Budget.

(d)(1) In exercising the apportionment authority under section 3679 of the Revised Statutes (31 U.S.C. 665) for the fiscal years ending on September 30 of 1983, 1984, and 1985, the Director of the Office and Management and Budget may apportion annual appropriations and set aside reserves in a manner consistent with the purposes and requirements of this section.

(2) Any reserves established or other actions taken in connection with the apportionment process for the purpose of satisfying the requirements of paragraph (1) of this subsection shall be exempt from the last sentence of section 3679(c)(2) of the Revised Statutes (31 U.S.C. 665(c)(2)) and from section 1012(a) and 1013(a) of the Impoundment Control Act of 1974 (31 U.S.C. 1402(a), 1403(a)). Nothing in this section affects the authority of the Comptroller General under section 1015 of such Act (31 U.S.C. 1405) to report a reserve or deferral to the Congress if he concludes that the reserve or deferral is not exempt under this paragraph.

(e) For the purposes of this section—

(1) the term "independent agency of the executive branch" includes any establishment in the executive branch which is not a component of an executive department and includes the Executive Office of the President; and

(2) the total controllable budgetary resources for a fiscal year of a department or independent agency is the sum of the amounts contained in annual appropriations for that department or independent agency for that fiscal year excluding—

(A) any amount contained in an appropriation Act enacted after the end of the third calendar month of that fiscal year;

(B) any amount appropriated for the purpose of making payments to any person or government if, under the provision of law governing such payment, the United States is obligated to make such payment to persons or governments who meet the requirements established by such law;

(C) any amount appropriated for the purpose of any grant, subsidy, or contribution; and

(D) any amount appropriated for emergency expenditures affecting the protection of human safety or property.

SEC. 2. The provisions of the first section shall apply to any fiscal year beginning after the date of the enactment of this Act.●

PERSONAL EXPLANATION

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. CLINGER. Mr. Speaker, on August 12, 1982, I was absent from the floor of the House for a vote. Had I been present, I would have voted in the following fashion:

Rollcall No. 272: H.R. 5595, Federal Payment to the District of Columbia, the House agreed to an amendment that requires at least $14.3 million of the funds provided by the bill be used to eliminate any deficits in the D.C. Teachers' and Police Officers' and Firefighters' Retirement Funds, "no."●

BLOOMFIELD HILLS, MICH., MARKS 50TH ANNIVERSARY

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. BROOMFIELD. Mr. Speaker, this Sunday, August 15, marks the 50th anniversary of the beautiful city of Bloomfield Hills, Mich. As the Representative of the people of that city, I am honored to recognize this grand occasion.

In 1927, Bloomfield Hills separated from Bloomfield Township to incorporate into the Village of Bloomfield Hills. At that time there were about 1,100 people living in Bloomfield Hills. Then, in 1932, the village became the city. Gov. Wilber M. Brucker approved the charter of August 15.

The city of Bloomfield Hills is not large, just under 5 square miles. It is a comfortable, charming community of about 4,000 people. There are no industrial properties and only a relatively few commercial establishments and small businesses.

Stately Woodward Avenue runs through the center of Bloomfield Hills. Most of the city, however, is transected by shaded, residential streets and lanes.

Bloomfield is known for its beautiful homes, large, wooded lots, and lovely neighborhoods. The Honorable George Romney, former Governor of the State of Michigan, could capably attest to the city's ideal setting, since he is himself a resident.

Bloomfield Hills is known as the home for the very highly regarded preparatory school of Cranbrook. Cranbrook is a private educational institution made up of six facilities occupying 300 acres of impressively landscaped property that includes a small lake. The site was donated by the late George G. Booth and his wife, Ellen Scripps Booth. Since its founding, Cranbrook had developed a well-earned reputation for academic excellence.

The 50th anniversary of this small but prominent city is truly a great event. I am very proud to represent the city of Bloomfield Hills and its citizens, and it is a great honor to rise in recognition of this important occasion.●

GAO ASKED TO STUDY FISHERIES QUOTAS

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. AuCOIN. Mr. Speaker, fishermen along the coast of Oregon have been engaged this summer in a controversy centering on the salmon seasons set by the Pacific Fisheries Management Council and the Oregon Fish and Wildlife Commission. As anyone who is familiar with the fishing industry knows, these management agencies have the authority under the Magnuson Fishery Conservation and Management Act to regulate fishing.

The Pacific Fisheries Management Council establishes quotas, the maximum number of fish which can be harvested without depleting the resource. Quotas for salmon are based on the Oregon production index, which is developed by the Oregon Department of Fish and Wildlife to indicate the availability of the resource in the Oregon production area. For years, fishermen have contended that this index is faulty.

This year, the use of the Oregon production index has produced the shortest commercial fishing seasons for coho on record: Fishing between Leadbetter Point, Wash., and Cape Falcon, Oreg., lasted 8 days and fishing between Cape Falcon and Cape Blanco was stopped after 12 days. On top of that, confidence was strained further by three announcements within 1½ weeks that changed various seasons. One of which by the Department of Commerce was a complete flip-flop which closed and reopened the season within a span of 3 hours.

Recent flip-flops in Government decisions in setting Northwest ocean salmon seasons raise questions about the way those decisions are made. Along with my colleague from Iowa Mr. SMITH, the chairman of the Appropriations subcommittee with jurisdiction over the issue, I am asking the General Accounting Office, the watchdog arm of the Congress, to do a program audit to get the answers.

Angry fishermen are saying one thing and Government fish managers another about how many fish can be caught every season. No one knows if the Government is right or if its wrong. That is why a respected third party needs to come in, sort out the confusion, and produce some answers. This controversy boils up every year; it is getting worse and this latest series of on-again, off-again seasons is the last straw.

I want the General Accounting Office to study the current method of establishing fisheries quotas and de-

termine if these methods are sound scientifically.

Insert my letter to the GAO at this point in the RECORD.

The letter follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 30, 1982.

Hon. CHARLES BOWSHER,
General Accounting Office.
Washington, D.C.

DEAR MR. BOWSHER: Since the Magnuson Fishery Conservation and Management Act became law in 1976, fishing has been under the close scrutiny of the federal government. The MFCMA established the Fishery Conservation Zone and set up Fishery Management Councils which have the responsibility of writing a management plan governing the Fishery Conservation Zone.

The goals of a fishery management plan include preventing overfishing and allowing a certain amount of salmon to survive the ocean season. The Councils not only assess the availability of the resource but they also determine the number of fish which can be harvested without depliciting the resource. Almost from the beginning, however, there has been raging controversy over the reliability of government estimates which lead to the management of seasons and fish harvests.

This controversy reached new heights in the Pacific Fisheries Management Council area this year when the National Marine Fisheries Service, at the direction of the Secretary of Commerce, announced the closure of all commercial and sports salmon fishing in federal waters and hours later reversed that decision. Such rapid alternation of policy do nothing to enhance the credibility of the management process.

Meanwhile, the economic stakes for both commercial and recreational fishing are enormous. The commercial and sports fishing seasons have been drastically cut-back on a yearly basis. In the last year, a cut of approximately fifty percent occurred, leading more fishermen to give up the only livelihood they know. Their families' futures are being determined by government estimates which may, or may not be accurate. No one knows for sure.

Such economic stakes put a premium on the accuracy of the data base and estimates which management agencies use to govern the fish harvests. It is necessary, therefore, to get to the bottom of the controversy so that Congress can be confident that management of the Fishery Conservation Zone is scientifically and biologically sound.

In the Pacific Fisheries Management Council region, the component of the management plan which seems to cause the most serious difficulty is the method of determining the quota of fish to be harvested by both commercial and recreational fishermen. The quotas are based on the "Oregon Production Index," an indicator of the number of fish available in the Oregon production area. The quotas have come under great criticism this year for being too low.

There is real doubt among the fishermen as to the accuracy of the OPI. A major factor in the OPI is the rate of fish escapement. Placing the greatest importance on the number of immature fish, as the OPI does, disregards many other important impacts upon fish runs. Fishermen strongly believe that many other variables are involved. They often report actual sightings of fish which are larger than the OPI indicates.

A third factor is that not all of the fish are tagged. A tag indicates where the fish comes from, be it Oregon, Washington or Canada. Fishermen simply do not know whose fish they're catching.

Something needs to be done now to determine if there is a more accurate way of determining the Oregon Production Index and the quota. Fishermen just can't survive much longer if their seasons will be cut short every year and the fishermen and the management people need to stop arguing with each other and start working together.

There has absolutely been enough controversy questioning the acuracy of the methods use in determining the OPI. It is time for a solution. I am sure that no one would object to a shortened fishing season, if indeed, the resource would be as seriously depleted as the OPI indicates.

Commercial fisherman are rapidly going out of business. Last year, over 8,400 fishermen held a commercial license in Oregon. This year, 400 of those gave up.

A charterboat businessman in may district is losing over 45% of his total gross income because of the uncertainty in not knowing exactly how long the season will last. This particular business will probably lose 600 bookings in the month of August alone. Last year, he grossed $65,000 during that month. I'm sure his income won't be as high this year.

Because answers must be found now, we are requesting that the General Accounting Office study the current method of establishing fishing quotas and determine if there are any alternative ways to determine a quota more accurately.

A review by an independent agency is needed to assess the entire problem. Fishermen, management people, and policymakers need to rely on an impartial study to make their decisions.

Thank you for your cooperation. I look forward to hearing from you.

With warm regards.

Sincerely,

LES AUCOIN,
Member of Congress.●

TRIBUTE TO JACK BINGHAM

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 10, 1982

● Mr. PHILLIP BURTON. Mr. Speaker, I was saddened and disheartened when I heard of the retirement of my dear friend and ally, JACK BINGHAM. I have served with JACK for many, many years. He has been an invaluable member of the Interior Committee during our many fights to preserve this Nation's environment. The significance of his leadership role in specific successful efforts to preserve our Nation's heritage are highlighted by his contributions as:

First, a key leader in the successful effort to establish a $725 million addition to our Nation's urban park and recreation areas.

Second, a key collaborator with our former colleague William Fitz Ryan in the establishment and strengthening of the Gateway National Recreation Area.

Third, a key leader in the establishment of the Women's Rights National Historic Site in Seneca Falls.

These are but a few of his innumerable achievements in preserving our environment for now and the generations to come.

I have often turned to JACK in his capacity as a senior member of the Foreign Affairs Committee for insight on our Nation's foreign policy and most recently he has been in the forefront of the nuclear freeze movement.

But he is no newcomer to the major policy fights in this institution. JACK and I were part of a small group of Members who began the long struggle to end this Nation's involvement in Vietnam. I will always remember JACK's dedication and courage in what was, at first, a lonely fight.

I am dismayed that he leaves because of the vagaries of reapportionment. My wife, Sala, and I will miss JACK and June BINGHAM and we wish them well in the future.●

A TRIBUTE TO MRS. CECILIA DUMKE

HON. MARTY RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. RUSSO. Mr. Speaker, today, I would like to pay special tribute to a truly outstanding and beloved woman from my district on the occasion of her 90th birthday. Mrs. Cecilia Dumke, of Oak Lawn, has been a source of inspiration to all those whose lives she has touched through her examples of strength, determination, and accomplishments.

This beautiful lady, weighing less than 90 pounds, possesses the boundless energy of a teenager, the relentless drive of a bulldozer, the indomitable courage and optimism of a missionary. She has lived her life as a prime exponent of "positive mental attitude" long before that phrase became a popular slogan. If a successful life is measured in terms of achievement, love, and respect then Ceil Dumke must be acknowledged as a resounding success.

Ceil, as she is known to her countless friends, was born in Chicago, August 19, 1892. She married, making her home on the South Side where she gave birth to two children, Fred and Lucille. Though only of modest means, she still managed to open her heart and her home to encompass another daughter, Marie, into her family circle.

When her son was not quite 1 year old, he contacted polio, which resulted in the loss of the use of his legs. With uncompromising pride, guidance, and abundant love, she was determined Fred would not surrender to his handicap. She prodded him, encouraged

him, and imbued in him a spirit that would not accept defeat or give in to a mere physical impairment. Her favorite rallying cry was, "You can do it—of course you can." One day, returning from work, she noticed Fred on his crutches watching on the sidelines as the neighborhood kids played sandlot ball. She scolded him, "Why aren't you playing?" She ordered him up to the plate with the words, "You hit the ball, your sister will run for you"—and hit it, he did.

She never let Fred ever think he could not do everything he wanted to. Fred left his special school as a teen and enrolled as a regular student at Parker High School with Ceil adamantly insisting to school officials he could do it. He did. Fred Dumke went on to a successful career in business and then achieved an outstanding record in municipal government as a trustee and, finally, as mayor of Oak Lawn the second largest village in Illinois.

During the devastating tornado that ripped Oak Lawn in 1967, Mayor Dumke's dynamic leadership was acknowledged by the media as being a primary factor in the village's swift recovery. Reporters following the ubiquitous mayor around the stricken village were amazed at his energy and command of the situation. One reporter commented. "He's everywhere—you forget he is on crutches". Ceil had done her job well.

Even though she had three children to raise, alone, and held a full-time job as a clerk. She still devoted time and energy to many projects which benefited handicapped children. For many years, Kiwanis, Lions, and the Veterans of Foreign Wars recognized Ceil as one of their most dedicated and tireless volunteers.

For the past 25 years, she has been the leading volunteer for the Kiwanis Club's Peanut Day. Dubbed for the "Peanut Queen", she takes her post at 95th and Cicero—the busiest intersection in the village—at 5:30 a.m. and works til dusk and no one dare move into Ceil's territory. Needless to say, she has been No. 1 in sales since she began. Her efforts have been instrumental in helping fund the Kiwanis camp in Plymouth, Ind., Garden School, Park Lawn, and Arrow School.

She has adopted Park Lawn School in Oak Lawn as her very special project. Through her efforts, she has succeeded in raising over $125,000 for the benefit of this school for special children. She has supplied the energy and the driving force behind many endeavors—her annual birthday party, fireman's concert, and raffles all for the benefit of her kids at Park Lawn. She is at present undertaking a new goal to raise funds for Park Lawn's new residence which will open in October.

This valiant lady has had her share of setbacks and sorrows, but she possesses the resiliency and inner strength of a willow tree bending temporarily to the wind, but always coming back strong and upright again.

This spirited lady has given so much to her family, her friends, and her community. She has set a standard of excellence in every task she has undertaken which will be difficult for anyone to equal. I know my colleagues join me in sending most sincere wishes to Ceil Dumke to have the best birthday ever and keep having many more.

You can do it—of course you can.●

A TRIBUTE TO CONGRESSMAN JONATHAN BINGHAM

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 10, 1982

● Mr. MITCHELL of Maryland. Mr. Speaker, I am proud to join my colleagues in saluting Representative JONATHAN BINGHAM, who will be retiring at the coming election. Congressman BINGHAM has served in this House since 1964 and his dedication to various committee assignments and unending constituent services has resulted in overwhelming endorsement term after term.

Congressman BINGHAM's impressive record of service has prevailed during his tenure as chairman of the House Foreign Affairs Committee's Subcommittee on International Economic Policy and Trade. At the same time Mr. BINGHAM has served on the International Security Subcommittee.

These priorities not withstanding, JONATHAN BINGHAM continues as a member of the Interior and Insular Affairs Committee, with assignments on the Subcommittees on Energy and the Environment, and National Parks and Insular Affairs. Lastly, this Congressman remains a member of the Commission on Security and Cooperation in Europe, which monitors the Helsinki accords, and serves on the steering committee of the Northeast-Midwest Congressional Coalition.

While we can always review the litany of activities in which such esteemed Representatives as JACK BINGHAM are involved, we must also remember that after so many years of these strenuous pursuits, our colleagues may wish to devote time to other personal or professional projects. I am confident that we will continue to hear from Representative BINGHAM through community involvement, literary pursuits, and lectures. Knowing this helps us all to accept this loss of our dear colleague.

Again, I am proud to join my colleagues in wishing JONATHAN BINGHAM the very best.●

TRIBUTE TO JACK GRIFFIS

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. DYMALLY. Mr. Speaker, with a mixture of pride and sadness, I rise to pay tribute to a fine man and a good friend. Jack Griffis, who passed away last month, was a model citizen whose dedication and spirit we would all do well to emulate.

For 25 years, Jack made his home in Gardena, Calif., and for 25 years, he served his community actively, faithfully, and responsibly. Affiliated with a legion of organizations, many of them charitable, Jack was especially well-known throughout his community for his many benevolent works.

Not a man to sit idly by, content with the status quo, Jack was always willing to speak up for what he felt was right. This determination and this loyalty to cause were readily visible during Jack's tenure as president of the Gardena Valley Democratic Club and through his work on the Gardena Citizens Advisory Committee.

Perhaps the greatest testament to Jack Griffis' unswerving integrity is the fact that he was able to secure the respect and admiration of even his political opponents.

The community that presented Jack Griffis with a "Resolution of Commendation" for "invaluable and devoted service" in January of 1982 will miss this man very much.

I, to, will miss this man who so well embodied the classically American values of leadership, integrity, good will, and perseverance.

Because strong communities ulitimately add up to a strong nation, Jack Griffis' achievements serve as a meaningful legacy not only for members of his own community, but for all Americans who desire to actively participate in sustaining and improving upon the greatness of their country.●

BUSINESS—LABOR-BACKED PROGRAM SUCCEEDS IN WAUKESHA

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. ZABLOCKI. Mr. Speaker, in these difficult economic times, our unemployed workers are facing enormous problems in making ends meet. Meeting simple household expenses and food bills are difficulties that must be confronted on a daily basis. I am pleased to say that one project in my own area of Waukesha, soon to become part of the Fourth District of

Wisconsin which I have the honor of representing, is successfully offering discounts to unemployed workers while helping Waukesha merchants attract business.

Mr. Speaker, the Waukesha people for unemployed people-unemployed discount program, is one of a kind. The program allows workers who can show verification of unemployment to shop at discount prices in businesses ranging from food stores to barber shops to auto repair shops. I understand that well over 60 Waukesha merchants are presently participating in this program.

The support this program has received from the Waukesha business community and the local labor unions in commendable and indicative of the fact that business and labor can work together to meet the people's needs.

I am heartened to hear that the Waukesha Chamber of Commerce, under the leadership of President Robert Heckel, and the Waukesha County Labor Council, under the leadership of President George Urban, have both endorsed this program. The help of Mr. Abel Garcia, president of the IAMAW Local 1377, has been invaluable. Without a doubt, the hard work and firm commitment of the president of the people for unemployed people-unemployed discount program, Mr. Doug Stone, has led to success on a daily basis with a firm potential for future expansion.

Mr. Speaker, I hope other communities can learn from the Waukesha experience. I am inserting in the RECORD an excellent article which appeared in the August 4, 1982, issue of the Milwaukee Journal, entitled "Waukesha Initiates Discount Program for Unemployed," by Mr. Sam Martino.

WAUKESHA INITIATES DISCOUNT PROGRAM FOR UNEMPLOYED

WAUKESHA.—Esther Johnson, a laid-off factory worker at the Waukesha Engine Division of Dresser Industries, stood at a grocery store checkout counter and displayed a small, yellow card.

The card indentified Johnson to Michael La Rossa of La Rossa's Marketplace, 1800 W. St. Paul Ave., as a participant in Waukesha's unemployed discount program.

La Rossa is one of about 60 Waukesha-area merchants who have joined in offering discounts to unemployed workers like Johnson.

"Every little bit helps," said Johnson as she paid her bill of $2.69 for a box of corn flakes, some onions and a bag of noodles. She received a 10% discount on her purchase.

"I think the program is a good idea. It gives the unemployed a break at a time when we are out of work."

La Rossa said, "They are struggling. It doesn't seem like any of the major food chains are participating. We are doing our part."

La Rossa spoke of a spirit of community involvement in wanting to help the unemployed.

John Schmitt, president of the Wisconsin AFL-CIO, said he knew of no other similar program in Wisconsin.

"I suppose if it works out in Waukesha, other cities may look at it," Schmitt said. He said the program also would help area merchants attract business.

The unemployed discount program received its start in June after laid-off workers from Waukesha Engine asked the Waukesha County Labor Council to endorse the program. The council did and enlisted support from a number of separate unions.

Laid-off union workers canvassed the city asking merchants to provide discounts to unemployed workers.

Since then the movement has slowly gained momentum.

The Common Council Tuesday night approved giving the unemployed workers a discount of 15 cents off the regular 50-cent bus fare.

The YWCA has provided unemployed workers with opportunities to sign up for recreational or craft programs without charge.

The United Way in Waukesha County has included the discount program in its recent literature on the unemployed.

"For assistance in making your dollar go further while you are unemployed, you should call or stop by the Waukesha Unemployed Discount Program," the United Way said. "You don't have to be a union member, all you need to do is provide verification of your unemployment."

Unemployed workers who provide identification from the Wisconsin Job Service or an employer that they are laid off can obtain an unemployed discount program card from the Waukesha Labor Temple at 1726 S. West Ave.

NOT JUST UNION MEMBERS

Doug Stone, coordinator of the program said about 20% of the 600 people who had registered for the unemployment discount program cards were not union members.

"The non-union people have the same circumstances that the union people do. They are unemployed," Stone said.

Despite a post-World War II record unemployment rate in Waukesha County, there has not been a rush to get into the unemployed discount programs, according to Stone.

Stone said many people were embarrassed to seek help.

However, Stone said, "this is not charity. In good times we will do business at these businesses."

Paul Bower, recording secretary of Local 3740 of the Steelworkers Union at International Harvester, said many laidoff workers from Waukesha industries did not live in Waukesha.

He said many of the workers were from Milwaukee and other suburbs and were unable to take advantage of the discount program unless they drove miles into Waukesha.

Stone said he was hoping that the program would expand to merchants throughout Waukesha County.

SMALL SAVINGS HELP

At an automotive parts store, John Dietz, manager of Automotive Specialists of Wisconsin Inc., 910 W. Sunset Dr., has entered a 20 percent discount account code into his computer.

The computer automatically figures the discount on merchandise sold to people with the unemployed discount program card.

Merchants who participate in the program have placed signs in their store windows. Some of the signs note the amount of discount provided by the merchant.

In an attempt to minimize any potential abuse in the program, laid-off workers must reapply for a discount card every two months.

The new cards will be issued Aug. 9.

Laid-off workers receive a list of merchants and professionals who offer discounts.

The list of participants includes food stores, doctors and pharmacies, hardware and lumber outlets, barber shops and beauty salons, clothing stores, shoe stores, auto repair and part stores, television repair outlets and fast-food restaurants.●

WELCOME TO NEWEST MEMBER OF AGING COMMITTEE

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. RINALDO. Mr. Speaker, since I entered Congress in 1973, I have worked closely with the gentlelady from Massachusetts, Mrs. HECKLER, whom I admire and respect, both as a colleague and a friend. Therefore, as ranking minority member of the Select Committee on Aging, I take particular pride and pleasure today in welcoming her to the committee.

I am very familiar with Mrs. HECKLER'S commitment to the elderly during her 16 years in Congress, and I know that she will continue to serve older Americans with competence and vigor as a committee member.

The Congresswoman's initial activity as a member of the committee occurred this very day, when she testified at a committee hearing in Fall River, Mass. Following is the text of her testimony:

STATEMENT OF HON. MARGARET M. HECKLER BEFORE THE SELECT COMMITTEE ON AGING

As the Representative of this congressional district, I sought the opportunity to testify here today, to bear witness to my commitment to the social security system and to the retired persons who receive its OASI benefits.

Having represented this district since 1967, I have worked on behalf of scores of programs—including social security—that affect the elderly. To express my concern for those retirees subject to the "notch problem," I am a cosponsor of H. Con. Res. 222, directing the Secretary of Health and Human Services to conduct a study immediately on steps needed to correct the "notch problem," and to report such steps to Congress. Moreover, I have written to the National Commission on Social Security Reform, urging that the commission develop solutions to the problem and include them in its report—due in a few months—to Congress.

The "notch problem" is a result of H.R. 9346, the Social Security Amendments of 1977. On December 15, 1977, when this measure received final consideration from the House, the chairman of this committee, the Hon. Claude Pepper, said: "I need not remind my colleagues that this is one of the most important measures which has ever been before this House because it sustains

and insures the hope of millions of Americans, who have no other source of income in their later years except what they derive from social security." [1]

Mr. Pepper voted for the final version of H.R. 9346 on December 15, 1977. So did I, because the very structure and solvency of social security was threatened. Speaker of the House "Tip" O'Neill, urging approval of the measure, described the situation in this way: "There are those of us who may happen to talk to a senior citizen. He or she is going to come up to you and say, 'What about my social security? Is it going down the drain? If you voted against this, you are going to say, 'Well, we are going to do something about this along the line.' But what a miserable Christmas that senior citizen is going to have." [2]

The Speaker also asserted: "I say to the Members on the Democratic side of the aisle that if I have ever seen an issue that is a Democratic issue, it is this issue."[3] In my view, in terms of my vote, saving social security was a bipartisan priority.

Almost every member of the Massachusetts congressional delegation agreed that H.R. 9436 should become public law. Rep. Edward Boland agreed. Rep. Joseph Early agreed. Rep. Robert Drinan agreed. Rep. Michael Harrington agreed. Rep. Edward Markey agreed, Rep Joe Moakley agreed. Rep. James Burke, chairman of the House Ways and Means Committee Social Security Subcommittee that developed the bill, agreed.

We agreed that social security should not go down the drain. The situation was the following, in the words of then Ways and Means Committee Chairman Al Ullman: "Unfortunately, in the last few years this huge system has developed financing problems which require the most serious and careful attention of the Congress. Starting in 1975, the system began to run annual trust fund deficits with outgo exceeding income. In 1977, the cumulative deficit in the three funds financed from the payroll tax is expected to reach $5.6 billion. These trends have caused a loss of confidence in the system both on the part of current beneficiaries and of workers paying social security taxes who expect to receive benefits in the future. I am sure that Members of the House are aware through communications from their constitutents of the fears that have been aroused." [4]

I want to state, however, that we did not all agree on inclusion of the so-called "decoupling" provision, which led to the "notch problem." For instance, in a statement I made on the House floor on October 26, 1977, on the House version of the bill, I said: "There are short-term and long-range financial problems this legislation attempts to address. I agree with some provisions; I disagree with others." [5]

And I want to state that there was no separate vote on the "decoupling" provision. It was included in the original Ways and Means Committee version of the bill, and members had no opportunity to indicate their approval or disapproval, except by floor statements.

Mr. Pepper, whose dedication to the elderly was and is unquestioned, was one of those members who did make a floor statement of approval on the provision. Addressing it during the December 15, 1977, debate, he said: "The 'decoupling issue' is addressed in a way that greatly reduces the projected long-range deficit in the trust funds and at the same time provides a wage-indexed formula which allows retirees to share in productivity increases in the economy over their working years and which protects those scheduled to retire in the near future from being disadvantaged because of the formula change." [6]

Those who voted for the measure—including myself—did so with the belief that the social security system had to be shored up, in order to protect the benefits of the 33 million persons—one of seven Americans—who were receiving benefit checks each month.

This measure, which became Public Law 95-216, provided short-term funding and made some structural changes by—

Raising the wage base for employers and employees in each of the years 1979 to 1982;

Increasing payroll tax rates, beginning in 1979;

Shifting revenues from the retiree and survivor fund to the disability insurance fund, beginning in 1978;

Easing restrictions on outside earnings by social security recipients over age 65;

Guaranteeing pre-existing levels of benefits to persons over age 60 who marry or remarry, effective January 1979; and

Permitting persons to qualify for social security benefits based on their spouses' earnings after 10, rather than 20 years of marriage.

On the "decoupling" issue, the problem has been the transition period, under which persons born January 1, 1917, through December 31, 1921, have been discriminated against in benefit payments. This is unfair, unjust, and cruel, and I am pledged—through the Department of Health and Human Services, the National Commission on Social Security Reform, and Congress—to work to correct it.

In bearing witness to my commitment to the stability of the social security system and the continuation of its benefits to those who have worked so hard to earn them, I believe that this hearing should be a forum for the truth. The truth is that those who voted for H.R. 9436 were dedicated to saving the system. As Mr. Pepper said, "If the word goes out at the end of this day that, notwithstanding the Senate passing the bill by an overwhelming majority, the House of Representatives defeated it, a wave of fear will sweep through the hearts of every one of those Americans wondering about the future solvency and soundness of our social security funds which are the sole source of livelihood for very many of those people." [7]

He also said, and this hearing highlights his words: "The bill does not do everything the elderly would like to have it do. It is not perfect in terms of the taxes that it provides. But we have the future ahead of us, if we keep the funds sound, to improve it from the tax point of view and from the viewpoint of the recipients." [8]

It is unfair to him, to me, and to the other members who voted for the measure, to brand us as anti-social security, as anti-elderly, when in fact we were the champions of older Americans. As champions, we must move forward, to keep the funds sound and to improve them, particularly in terms of equity for those who suffer from the "notch."●

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[1] Pepper, Representative Claude. Statement on conference report to H.R. 9436, CONGRESSIONAL RECORD, Dec. 15, 1977, p. 38999.

[2] O'Neill, Representative Thomas. Statement on conference report to H.R. 9436, CONGRESSIONAL RECORD, Dec. 15, 1977, p. 39035.

[3] Ibid.

[4] Ullman, Representative Al. Statement on H.R. 9436, CONGRESSIONAL RECORD, Oct. 26, 1977, p. 35239.

[5] Heckler, Representative Margaret, Statement on H.R. 9436, CONGRESSIONAL RECORD, Oct. 26, 1977, p. 35262.

[6] Pepper, Representative Claude. Statement on conference report to H.R. 9436, CONGRESSIONAL RECORD, Dec. 15, 1977, p. 39026.

[7] Pepper, Representative Claude. Statement on conference report to H.R. 9436, CONGRESSIONAL RECORD, Dec. 15, 1977, p. 39015.

[8] Ibid.

PERSONAL EXPLANATION

HON. ROBERT W. DAVIS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. DAVIS. Mr. Speaker, yesterday I voted against H.R. 6846, The Wilderness Protection Act of 1982. This is not a change of heart, but an admission of error.

I inadvertently voted no on the bill to ban oil and gas leasing in our wilderness areas. Although I am opposed to additional wilderness designations, especially in my district in Michigan where over 40 percent of the land area is Government owned, I am not in favor of oil and gas drilling in those wilderness areas already designated.●

COAL SLURRY PIPELINE BREAKS: AN UNADDRESSED PROBLEM

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. WILLIAMS of Montana. Mr. Speaker, recently, much attention has been given to the hazards and destruction caused by broken pipelines, both offshore and inland. Most of this attention has focused on oil pipeline breaks, because of the cleanup problems and their commonplace occurrence. A major rupture in a Wyoming oil line is the latest in hundreds of such breaks, this one being one of the most serious spills. There were 115 such breaks, reported in 1981 alone. I have included the Washington Post front page article of August 3, 1982, describing the break in Wyoming.

I raise this discussion today only for one reason: In all of the debate about pipeline breaks, no one has raised the question with regard to potential breaks in coal slurry pipelines. This should be a pertinent discussion, because of the recent considerations of

bills supporting the building of coal slurry pipelines. Any consideration of H.R. 4320, which proposed Federal eminent domain to provide the rights-of-way for pipelines to carry coal slurry, must also address this recurring problem with its dangerous impact on the environment and property. Also, the contamination caused by coal slurry presents special difficulties in cleaning up, with severe damage to animal and plant life. The danger of a break, caused by heavy vehicles traversing the pipeline, is only one common source of disruption; there are land slides, earthquakes, construction activity that will necessarily occur along the hundreds of miles of projected slurry lines.

Another problem that is not addressed is responsibility for any possible pipeline breaks. It is often difficult to fix responsibility. Therefore, any legislation must address these specific hazards in advance.

The breaks usually take place in remote areas, such as the recent northern Wyoming spill. Who should investigate, who must respond to the immediate emergency, and who is responsible for the cleanup and repair of the surrounding environment? Also, if there is damage to private and public property, who is financially liable?

It is the duty of any committees drafting legislation to explore the possibility of any problems legislation might create. We must anticipate these problems and be ready in advance. These questions must be addressed well in advance. No legislation for coal slurry that overlooks the problem of a broken pipeline and the dumping of slurry should be considered. Slurry breaks are not discussed because there are not as many slurry lines as there are oil pipelines. If H.R. 4320 is enacted, I can assure you that it will become a commonplace subject, and we might someday read about just such a break on the front page of the Post. Oil in flow is not coarse and does not do damage to the pipe; slurry is just the opposite. Pipe erosion is a problem with current existing slurry lines. Spills of oil are serious, but are they any more damaging and noxious than the impact that would be caused by a spillage of coal slurry? This is a good question. I feel it is still unanswered.

PIPELINE BREAK DUMPS CRUDE INTO WATERWAYS

(By Jay Mathews)

LOS ANGELES, Aug. 3—A ruptured oil pipeline has contaminated part of a reservoir, a river and a creek and threatened fish and other wildlife in northern Wyoming in one of the largest inland oil spills on record, state and federal officials said today.

Environmentalists, fighting what they see as a major threat to wilderness areas, immediately called the spill a sign of what could happen if Interior Secretary James G. Watt allowed more oil drilling in such remote areas.

"If this kind of thing can occur in such relatively flat and open land, we feel it has ominous implications for wilderness areas," said Bill Cunningham, northern Rockies representative of the Wilderness Society.

Wyoming officials said they had not yet determined the cause of the break in the 12-inch crude oil pipeline which spilled what they estimated to be more than 6,000 barrels, or about 250,000 gallons, of oil 10 miles south of Byron, Wyo.

The rupture apparently occurred during the weekend but was not discovered until yesterday morning, a common problem in remote areas. A passerby saw oil on the surface of Yellowtail Reservoir, about 20 miles east of Byron, and valves feeding the pipe were shut off, a Coast Guard official said.

A Coast Guard official sent to investigate the leak said it had not yet been determined what impact the spill had had on local wildlife but said the volume of oil lost approached the state's last major spill in 1980 into the Platte River.

The 1980 spill, apparently caused by underground telephone cable construction, killed 1,752 muskrats, 19 geese, 19 ducks and destroyed 183 goose eggs, according to the state's game and fish department.

Pete Petera of the game and fish department said the area affected by this week's spill served as a home for mink, muskrats and other fur-bearing animals who could be harmed by the oil. He said the lower Shoshone River, which received the oil spill from Whistle Creek and transported it to the reservoir, did not have many game fish.

The reservoir, however, is full of trout and walleyed pike, Petera said. Although the spill is reported to have extended only 200 yards into the flood prevention reservoir, "I don't think it's going to do the fish a danged bit of good," he said.

David Jossi, a private contractor working with the Department of Transportation in Washington, said there were 115 crude oil pipeline breaks in 1981 which spilled 578,169 barrels of the heavy oil onto American soil. Ninety-nine of the breaks were caused by construction equipment such as backhoes.

A spokeman for the state department of environmental quality said an initial report on this week's spill mentioned construction work in the area of the break. But officials from Wyoming state departments, as well as Coast Guard and Environmental Protection Agency officials, had reported no definite cause for the rupture late today as they continued to drive and fly by helicopter over the area.

A Coast Guard official said a containment boom floated across the mouth of the Shoshone River was keeping oil from spreading further into the reservoir. Another containment device was holding oil at the surface where Whistle Creek and the river meet so that the oil could be easily removed.

Officials of the Marathon Pipeline Co., which operated the pipe system, could not be reached for comment. Cunningham said pipelines laid in remote areas were dangerous not only because spills were difficult to detect but because rocky terrain made them susceptible to landslides and, in some areas, earthquakes. Jossi said transportation department figures show damage from pipeline failures in 1981 totaled about $5.2 million.

A suit brought by Wyoming against the pipeline company involved in the 1980 spill is pending in court. A suit by the pipeline company against the telephone company on whom it blames the rupture has also not been settled.●

THE IDEOLOGY OF THE PEACE MOVEMENT

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. McDONALD. Mr. Speaker, the peace movement in the West has continuously and persistently attacked the defense policies of the Western world while playing down the imperialist nature of the Soviet system. They take time to condemn U.S. policy in Central America, yet fail to say anything of Afghanistan. Furthermore, they promote their ideas with cliches masquerading as scientific theories of Soviet behavior—theories which can only lead to more Afghanistans. Mr. Burkovsky writes:

One of the most serious mistakes of the Western peace movement and of its ideologists, is the obdurate refusal to understand the nature of the Soviet regime, and the concomitant effort to lift the question of peace out of the context of the broader problem of East-West relations.

Vladimir Bukovsky knows the Soviet system well; he suffered under their definition of peace for 12 years. In the following continuation of his penetrating article, which originally appeared in the May 1982 Commentary magazine, Mr. Bukovsky examines the propaganda versus reality of the ideologists of the peace movement.

Part II of the continuing article follows:

[From Commentary Magazine, May 1982]

THE IDEOLOGY OF THE PEACE MOVEMENT—PART II

One of the most serious mistakes of the Western peace movement and of its ideologists is the obdurate refusal to understand the nature of the Soviet regime, and the concomitant effort to lift the question of peace out of the context of the broader problem of East-West relations. After several decades of listening to what they believe to be "anti-Communist propaganda," they have simply got "fed-up with it." They ascribe everything they hear about the East to a "cold-war-type brainwashing," and make no attempt to distinguish what is true from what is not. This attitude, which I can only describe as a combination of ignorance and arrogance, makes them an easy target for any pseudo-theory (or outright Soviet propaganda) that happens to be fashionable at any given moment. Besides, baffled by endless and contradictory arguments among the "specialists" about the nature of the Soviet system, the leaders of the peace movement believe they have found a "new approach" which makes the entire problem irrelevant.

A few months ago in England, I attended a public debate on the problem of unilateral disarmament. The leader of a big peace group opened his speech by saying that from his standpoint, it is irrelevant who is the aggressor and who the victim. He said: "It is like when two boys have a fight in the churchyard. It is impossible to find out who started the fight, nor is there any need to do so. What we should do is to stop them."

This metaphor reflects very well the prevailing attitude among peace-movement members. They believe they have gotten around a baffling problem, whereas they have in fact inadvertently adopted the concept of the "normal opponent." From the "churchyard" standpoint, the present conflict seems very ordinary: two bullies have become so embittered by their prolonged quarrel—in which anyway the essence of the disagreement has been lost or forgotten—that they are quite prepared to kill each other and everybody else around. They are temporarily insane, mad, but are basically normal human beings. Pride and fury will not permit them to come to their senses, unless we, the sane people around them, are prepared to intervene. Let us make them talk to one another, let us pin down their hands, let us distract them from their quarrel. We cannot, to be sure, pin down the hands of one of them. Then, in the best Christian tradition, let us make the other repent, in all good Christian humility. Let us disarm him to convince his adversary of his peaceful intentions. Let us turn the other cheek. Sooner or later the other will come to feel ashamed.

This view sums up exactly what I mean by a combination of ignorance and arrogance. Indeed, if we look upon the world from the "churchyard" standpoint, there probably is no need to find out who is the aggressor and who the victim. There is no need for police or armed forces. All we can see is a row of graves with the dead lying orderly in them and a couple of children quarreling with each other. Unfortunately, outside the church walls there is a bigger and far more dangerous world with gangsters, murderers, rapists, and other perverse characters.

Needless to say, this churchyard model simply does not merit serious consideration. Unfortunately, it is a widespread belief (and not only within the peace movement) that the Soviet government, like any other government, is preoccupied with the well-being of its people, and will therefore be eager to reduce military expenditures. This notion comes so naturally to our peace-makers that they just do not notice they have taken on a view of the Soviet system which is both very old and unquestionably wrong. If they only took the trouble to study a little Soviet history, they would know immediately how misleading this seemingly natural view is. Not only are the Soviet rulers indifferent to the living condition of their populace, they *deliberately* keep it low; on the other hand, disarmament (irrespective of the problem of well-being) would lead very rapidly to the collapse of the Soviet empire.

Normally we try to understand an opponent by taking his place, getting into his shoes, so to speak. That is why most people try to explain Soviet behavior in terms of "normal human motives," that is, by motives familiar to them. And that is exactly why they constantly pile one mistake upon another. For it is extremely difficult for a "normal" human being to put himself inside the skin of a mentally ill one. It is almost as in nature itself: when we test natural phenomena under extreme conditions, we suddenly find some unpredictable anomaly that is baffling to us. Logic itself becomes abnormal in certain extreme cases. If we add up two numbers, say, or multiply or divide them, we invariably obtain a new number. But if we use zero or infinity our whole rule suddenly goes wrong.

But let us take an example relevant to the present discussion. Let us take the key question: why is the Soviet Union so aggressive, so eager to expand? We see how many schools of thought there are among those studying the problem (and we see, too, how all of them are wrong).

There are some people who believe that the present Soviet expansionism is just a continuation of the Russian pre-revolutionary colonial policy. In other words, it is a bad legacy. Indeed, this notion about Soviet expansionism was the dominant one for a very long time—and still is in some quarters. In line with it, there have been repeated attempts to offer the Soviets a division of the world into spheres of influence. We owe to it the Yalta agreement, the Potsdam agreement, and assorted other disasters. Each time the Soviets have accepted the division into spheres of influence, and each time they have violated it. Is this because they need more mineral resources, more territory, a wider market for their goods? No. Their own territory is undeveloped, their own mineral resources are in the earth, they do not have enough goods for their own internal market. There are no useful mineral deposits in Cuba or Afghanistan. There is no Russian national interest in Angola or Vietnam. In fact, these new "colonies" cost the Soviet people many millions of dollars a day apiece. So, Soviet policy is no classical case of colonialism.

Then there is another theory, far more pernicious because much more widely accepted and because to reject it one needs a real knowledge of Soviet life. I mean the theory according to which Soviet aggressiveness is the result of the fear of hostile encirclement. The proponents of this theory argue that Russian history, particularly the history of repeated invasions of Russian territory within the last century, has made the Russian people almost paranoid about an external threat.

This theory sounds very scientific because many facts may be cited to back it up. Still, it is no more than a shrewd combination of obvious lies, wrong interpretations, and very perfunctory knowledge. It is mainly based on an overestimation of the importance of history for any given nation and on an oversimplification of the Soviet system.

To begin with, there is an obvious lie in this theory—that is, a deliberate confusion between the people and the government in the USSR. Those who know the Soviet system only moderately well may still need to be reminded that the people have no privilege of representation in the government—that is, have no free elections. Thus, the government does not reflect the feelings of the population. So if we are to believe that the population is frightened by the long history of invasions, the government has no reason to share these fears. The Soviet government, with its vast and omnipresent intelligence system, is extremely well-informed about every move and every smallest intention of the West (anyway not very difficult to achieve in view of the remarkable openness of Western societies). By 1978-79, when their arms build-up was at a high pitch, whom were they supposed to be so afraid of? Their great friend, the French President Giscard? Or their even better friend in West Germany, Willy Brandt? Britain, with its puny armed forces (and ongoing discussion on unilateral disarmament), or perhaps Nixon and Carter, who between them shelved all the major armament programs? Japan, which has no army at all?

Clearly the Soviet government had no reason to be frightened. In fact, the theory of Soviet paranoia does not imply a frightened government, but rather a frightened *nation*. In a "normal" country this might drive the government to become aggressive. But in the Soviet Union the people mean nothing and have no way of pressuring their government to do anything. They would not be allowed to voice any fears. So, who is so frightened in the Soviet Union? Besides, as far as the rules are concerned, their own experience of war, World War II, could not frighten them for a very simple reason: they won the war. Can you show me any victorious general who is so afraid of war as to become paranoid? The psychology of Soviet rulers is in any case totally different.

One need only look at a map of the world to see how ridiculous this theory is. Can we honestly believe that the poor Communists in the Kremlin are so frightened that they must protect themselves by sending their troops to Cuba and Cuban troops to Angola? By sending military equipment and advisers to Ethiopia and Vietnam and then by sending Vietnamese troops to Kampuchea? Take another look at that map: it is not at all obvious that the U.S.S.R. is encircled by hostile powers. Rather the other way around: it is the Western world that is encircled by the hostile hordes of the Communists. Well, if their paranoia can be satisfied only by surrendering the whole world to their control, what difference can it make to us whether they act out of fear or out of endemic aggressiveness?

Finally, and most importantly for an understanding of this pernicious theory, is the fact that it was invented by the Kremlin propaganda experts. It was very successfully exploited in the years of détente, when Western governments, acting under its influence, deliberately permitted the Soviets to achieve military superiority. They would probably deny it now, but I remember very well the discussions of that period. The argument of the ideologists of détente was that once the Soviets caught up, they would relax; this would in turn lead to the internal as well as external relaxation of the Communist regime, i.e., to liberalization. The results of this brilliant experiment we can see now.

The Soviet population, too, has been subjected, day after day for sixty-five years, to an intense propaganda campaign about this putative "hostile encirclement." The Communist rulers unscrupulously exploit the tragedy of the Soviet people in World War II for the purpose of justifying both their oppressive regime and their monstrous military spending. They try their best to instill into the people a pathological fear of the "capitalist world." Fortunately, the people are sane enough to laugh at the very idea. Thus, contrary to this theory, there is no paranoid population demanding to be protected in the Soviet Union, despite the best efforts of a perfectly sober and cruel government.

No, it is not the fear of invasion or a World War II hangover that has driven the Soviet rulers to wage an undeclared war against the whole world for half a century now. It is their commitment—repeated quite openly every five years at each Party Congress since the beginning of this century—to support the "forces of progress and socialism," to support "liberation movements," everywhere on the globe.●

THE WILDERNESS PROTECTION ACT OF 1982

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. SYNAR. Mr. Speaker, yesterday the House of Representatives voted 340 to 58 to pass H.R. 6542, the Wilderness Protection Act of 1982. I opposed several provisions of this legislation, and I wanted to take this opportunity to outline my reasons for voting "no" on final passage of the bill.

DESIGNATED WILDERNESS AREAS

I first want to emphasize that I strongly support the goal of permanently withdrawing designated wilderness areas from resource development and commercial activities. Moreover, the American public clearly supports this action as well.

When Congress enacted the Wilderness Act in 1964, its purpose was to set aside for the enjoyment of our citizens and future generations certain pristine areas of our Nation. While the goal was to maintain areas "untrammeled by man," in fact, the same legislation provided for some mineral leasing in the wilderness areas through 1983. Needless to say, these conflicting goals have given rise to repeated controversy since 1964. Most pointedly, the current administration has acted in a manner which was disturbed many and I am certain that yesterday's overwhelming vote was, in large part, a reaction to those excesses.

Mr. Speaker, I believe that reaction, though understandable, was itself excessive.

If Congress is serious about protecting the pristine nature of these areas, then we should and must close designated wilderness areas to commercial activities and resource development of all kinds. But, our approach should be to study carefully, move cautiously and choose wisely.

Once chosen, designated wilderness areas should be withdrawn from development in perpetuity for the benefit of the American people. To do otherwise is to make a mockery of our stated intention to preserve lands "untrammeled by man."

H.R. 6542 withdraws designated wilderness areas from oil, gas, shale oil, coal, phosphate, potassium, sulphur, gilsonite, and geothermal leasing. However, it permits mining of so-called strategic minerals in those same wilderness areas.

The assumption seems to be that these minerals are somehow more strategic to the United States than is petroleum, and that mining activities related to strategic mineral development is somehow less disruptive in wilderness areas than is the production of oil and gas. In my opinion, neither assumption is valid.

I believe the Interior Committee has erred in allowing mineral development activities of one sort—but not others—to proceed. If it is the will of the American people and the Congress to close wilderness areas, then they should be closed to development activities of all kinds.

My belief that disruptive activities in designated wilderness areas should be prohibited also compelled me to oppose the amendment offered by Mr. YOUNG of Alaska to allow seismic blasting in designated wilderness areas.

STUDY AND FURTHER PLANNING AREAS

There may be certain areas of the country considered or proposed for wilderness which so clearly belong in that category that Congress may well determine that their pristine nature and environmental qualities warrant immediate—if only temporary—protection from development activities. In such cases, Congress must determine that, even without significant mineral resource evaluation, the wilderness value outweighs whatever mineral resource value the area might possess. In unique cases such as this, it would be appropriate for Congress to provide temporary or permanent protection for the area without further study or exploration.

However, with the exception of this limited number of cases, I cannot support the provisions of the legislation which would withdraw other study areas or further planning areas from any leasing activities in a blanket manner. I believe these areas should have, for the most part, been excluded from coverage under the bill. While the committee report notes that these study and further planning areas are withdrawn only temporarily, in fact, many areas may be withdrawn indefinitely. We should maintain the status quo for most, if not all, of these areas until and unless Congress has determined that their unique natural qualities warrant permanent protection from development and so designates them as wilderness. In line with this view, I supported the amendment offered by Mr. YOUNG of Alaska which would have excluded such study and planning areas from coverage under the bill.

URGENT NATIONAL NEED

I also have questions as to the appropriateness and practically of the committee's inclusion of a provision to allow the President—with the concurrence of the Congress—to open wilderness areas to development in the event of urgent national need. From a practical standpoint, the provision is of little benefit. An example of an urgent national need would certainly be a serious oil import disruption which threatened the Nation's economic well-being. At such a time, there may well be proposals to open designated wilderness areas to petroleum exploration and production. Petroleum resources from these lands, however, would take years to develop and produce—by which time, of course, the Nation would long be past its crisis. I also question the appropriateness of the provision from a policy standpoint. As columnist George Will stated in a recent article about wilderness protection:

> There are 80 million acres of designated wilderness, 56 million of them in Alaska. Only 1.2 percent of the lower 48 States is wilderness; only 4 percent could ever be so designated. Surely the Nation's vitality and security are not so marginal as to depend on that 4 percent.

Moreover, there are several hundred million acres of publicly owned lands outside our wilderness system which are available for mineral leasing, exploration and development. These lands are in addition to the one billion-plus acres of Outer Continental Shelf lands which ultimately may be available for exploration and production.

If we truly believe in the maintenance of a wilderness system in our Nation, "untrammeled by man," we cannot afford to compromise our commitment. And I submit that it makes even less sense to contemplate compromising that commitment under the illusion that wilderness system development would provide any immediate or significant help in time of a national crisis.

In conclusion, I support the goal of the Interior Committee in providing for the permanent protection of designated wilderness areas. However, my personal view is that the committee has missed the mark on several points, and I felt compelled to oppose the legislation on final passage.

If Congress does not take final action this year on H.R. 6542, I look forward to working with Interior Committee Chairman UDALL and other Members next year.●

EXPLANATION OF MISSED VOTES

HON. GERALDINE A. FERRARO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Ms. FERRARO. Mr. Speaker, due to personal family business, I was not present for consideration of legislative business in the House on Thursday, August 12, 1982. Had I been present, I would have voted as follows on the recorded votes taken that day.

Rollcall 269: Motion to approve the Journal of the previous day's proceedings, "yea."

Rollcall 270: Amendment to H.R. 6542 to allow the use of explosives during seismic exploration in wilderness areas, "no."

Rollcall 271: Passage of H.R. 6542, a bill to withdraw certain lands from mineral leasing, "yea."

Rollcall 272: Amendment to H.R. 5595 to require at least $14.3 million of the funds provided by the bill be used to eliminate any deficits in the District of Columbia Teachers' and Police Officers' and Fire Fighters' Retirement Funds, "nay."

Rollcall 273: Passage of H.R. 5595, a bill to increase the amount authorized to be appropriated as the annual Federal payment to the District of Columbia, "aye."

Rollcall 274: Amendment to H.R. 6100, the National Development Investment Act, to exempt projects funded with EDA grants from wage requirements of the Davis-Bacon Act if the bid of the contractor awarded the grants is 10 percent less than the next lowest bid, "no."

Rollcall 275: Passage of H.R. 6100, a bill to amend the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965, "yea."●

NURSING HOME RESIDENTS DESERVE RESPECT

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. OTTINGER. Mr. Speaker, I rise today to express further my opposition to proposals made by the Department of Health and Human Services to alter current health and safety requirements for skilled nursing facilities participating in the medicare and medicaid programs. As a recent editorial in the New York Times stated, these changes will weaken seriously the protection that 1.3 million nursing home residents enjoy.

I believe the proposed changes will hinder the effectiveness of many States' health care provider surveillance programs without introducing the flexibility which has long been needed in the conduct of survey and certification programs. New York State has a carefully developed and effective surveillance program which could be enhanced if increased flexibility were allowed by the Federal Government. However, the State is opposed to the proposed changes which would reduce the frequency of surveys and allow accreditation by the Joint Commission on Accreditation of Hospitals to replace State surveillance requirements. Such changes could jeopardize New York's ability to assure the delivery of a continuously high quality of care in skilled nursing homes, intermediate care facilities, and certified home health agencies.

For the benefit of my colleagues, I am inserting in the RECORD two editorials from local Westchester County, N.Y. newspapers, the Daily Argus and the Citizen Register, respectively, which express the detriment the proposed nursing home regulations would create. I call them to the attention of all Members because it is important that we convince the administration not to relax the health and safety standards currently governing the Nation's nursing home industry. Eliminating excessive paperwork is one thing, but endangering patients who depend on the Government for protection is another.

The text of the editorials follow:

[From the Daily Argus, May 24, 1982]

NURSING HOME RESIDENTS DESERVE RESPECT

(By Vic Rosenthal)

On April 28, 1.3 million people of this country were honored for the contributions they have made and continue to make to society. These people are too easily forgotten and rarely discussed except in the most negative or stereotypic terms.

Institutionalized as they are, they may suffer from neglect, mistreatment or outright abuse. Though they make up a diverse cross-section of American society, they are usually treated as one minority group.

They are nursing home residents.

Nursing homes have been in existence for decades, but it wasn't until the 1960s, after Medicaid and Medicare, that the industry boomed. It was during the late 1960s and early '70s that we learned of the tremendous profits being reaped by nursing home owners. We also learned that many residents of these homes were receiving grossly substandard care and treatment, and were having their life savings and minute incomes expropriated.

It was at this time, when scandals were being publicized, that residents, family members, advocate groups and government officials began to make noise about the inadequate care being provided, and the use of public money. Government hearings were held across the country, books and studies were written, and the government started to look closely at the system. Through the mid and late 1970s the federal and state governments promulgated regulations, passed nursing home reform legislation and a Patients Bill of Rights.

As these laws and regulations were adopted, many of the worst nursing homes were finally forced to close because they could not meet the new standards. Unfortunately, however, because of inadequate surveillance and enforcement, substandard conditions persisted. Many facilities remained in a large middle-ground, providing minimal custodial care.

When Ronald Reagan was elected, his administration declared that the nursing home industry was over-regulated. Secretary of Health and Human Services Richard Schweiker appointed a task force to study the federal regulations, which resulted in a proposal to delete many of the regulations protecting the rights of nursing home residents. This proposal was warmly greeted by many segments of the nursing home industry, and the administration claimed that money would be saved.

However, an unexpected problem confronted the administration. Nursing home residents and advocate groups bombarded the president, Secretary Schweiker and Congress with letters opposing the proposed changes. Secretary Schweiker then retracted the task force proposals, claiming he always has been an ardent supporter of residents' rights.

What has become clear recently is that the administration and the industry are still looking to cut the regulations governing nursing homes. The latest proposal is to reduce the surveillance and enforcement of the nursing home regulations. The administration is aware that it is too unpopular to cut services and the rights of nursing home residents, but why not reduce surveillance activities that are apparently ineffective? As in other areas of government, the administration has made it clear that business should be left alone to regulate itself.

The proposals to reduce surveillance and enforcement is taking two forms. First, the administration is proposing to significantly cut the matching funds granted to states for inspection teams. States rely heavily on these funds and will be forced to curtail their surveillance activities. In some states, due to last year's cuts, inspection teams have already reduced the frequency of surveys from annual to bi-annual.

Secondly, the administration is considering transferring the responsibility and authority to conduct surveys from state regulatory bodies to the Joint Commission of Accrediting Hospitals. The commission is a private, voluntary body whose charter indicates that its main purpose is to provide consultation to hospitals and long-term facilities. How can the administration realistically expect a private, consultative body to effectively regulate an industry that receives more than $5 billion annually in public money? Could it be the administration doesn't want enforcement to occur?

Another proposal would change the survey cycle to only one inspection every 36 months. Additionally, the administration would allow the inspection team to check whether corrections of nursing home deficiencies have been made without visiting the facility. Simply a phone call or mail reply might be considered sufficient.

This proposal seems utterly preposterous in view of how many nursing home operators have been unwilling or incapable of correcting problems. Why is it that an administration so concerned with fraud and waste would be so casual and haphazard in its surveillance of a $5 billion program? It's time for the government to take a firm stand and develop a rational, effective program to assure residents of a dignified, quality life. Secretary Schweiker indicated he was a strong supporter of protecting the rights of residents; yet these protections will be meaningless if the enforcement procedures are relaxed.

At this time of the year when nursing home residents are being recognized and senior citizens are being honored, shouldn't the government respond with support and protection? Enforcement and surveillance activities are already inadequate. Any further cutbacks and reductions will virtually strip the government of its ability to monitor the care in nursing homes.

On April 28, the nation saluted nursing home residents. One now hopes the administration would rethink its proposals and reformulate them so as to pay honor and respect to our citizens who have contributed so much.

If it doesn't, Nursing Home Residents Day will have been an empty gesture. Vic Rosenthal is executive director of the Coalition of Institutionalized Aged and Disabled, Inc., an

organization of nursing home residents' councils.

[From the Citizen Register, July 24, 1982]

CASUAL GAMBLE ON HEALTH CARE

"This is just tearing out federal protection of helpless people."

Those are the words of Sen. Lawton Chiles, D-Fla., and the sentiment of many others in and out of Congress, regarding Reagan administration proposals for changing inspection rules for nursing homes.

Presumably in the name of regulatory relief or economizing, or both, the administration purposes, for instance, that accrediting by a private body, the Joint Commission on accreditation of Hospitals, be accepted as "sufficient evidence" of compliance with federal standards. A California health official said her state has learned by experience that this is an unreliable yardstick.

As for inspections, these would focus on nursing homes with histories of violations, while replacing annual inspections of the rest with inspections every two years. Another proposal would drop the requirement that nursing homes with problems be reinspected within 90 days; administration officials said that purpose can often be served by telephone or letter.

That sounds like a joke, but it's just typical of this whole rationale of trusting to luck that nursing homes that now pass muster will somehow stay that way and that the others will shape up. This seems rather a casual gamble at the expense of patients' welfare and at the risk of corner-cutting that could result in profiteering at government expense.

What this approach overlooks is the preventive disciplinary value of directly imposed federal standards and reasonably frequent inspections in keeping nursing-home operators on their toes. It is ironic that the very success of those procedures should make the administration imagine that they can be eroded. The administration is basing policy not on the record but on a myopic misreading of the record.●

H.R. 6124

HON. THOMAS B. EVANS, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. EVANS of Delaware. Mr. Speaker, implementation of the credit control legislation (H.R. 6124) reported by the Banking Committee, August 11, would be a pure unmitigated disaster. As we have already seen, the use of credit controls to provide real relief from high interest rates—or, for that matter, any other real economic benefits—is a proven failure.

It is difficult to believe that we could have learned so little from the 1980 experiment as to want to risk another round of economic disaster that is so clearly associated with the imposition of credit controls. This type of legislation does nothing to address the root causes of our economic problems, but simply concentrates on the symptoms. Mr. Speaker, it is said that the proof of the pudding is in the eating. In this instance, the pudding contains a large element of economic cyanide.

I was opposed to the use of credit controls by the Carter administration, and I strongly endorsed the sunsetting of the unnecessary Credit Control Act of 1969. To reimpose any form of Government-related credit controls now would be spectacularly ill timed, with the chief result being a further dampening of an already slow economy. The 1980 experience with credit controls resulted in a real GNP decline of almost 10 percent, the loss of over 1.5 million jobs, and a precipitous decline in auto sales, farm income, and housing starts—with autos, agriculture, and housing the "favored" sectors under the Carter credit allocation plan. The financial markets were placed in serious difficulty, and the whole process had no lasting effect on either inflation or interest rates.

It is certainly tempting, especially in an election year, to try to avoid the often painful measures of fiscal and monetary restraint needed to restore a prosperous economy. Ignoring the present real problems, and reaching instead for a tool whose efficacy is purely illusory will, however, serve no real purpose, but will be paid for dearly in the years to come.●

SUPPORT FOR NEW DAIRY PRICE SUPPORT SYSTEM

HON. JAMES L. NELLIGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. NELLIGAN. Mr. Speaker, I rise in support of the dairy provisions of H.R. 6892, the Food and Agriculture Reconciliation Act, which passed the House on Tuesday, August 10.

We all agree that the problem of increasing dairy surpluses in Federal reserves is getting out of hand. Last year, the Government purchased 21 percent of our cheese production, 29 percent of our butter, and 65 percent of our dry milk. These purchases cost the American taxpayers about $2 billion. Most of the purchases are still being held in the Federal reserves, and much of the surplus is being lost to spoilage.

We all know that farmers are not to blame for this sad state of affairs. Farmers are simply responding to pricing signals which are established by price-support levels. We need to change those signals so they more adequately reflect consumer needs and market conditions.

The dairy provisions of H.R. 6892, which establish the National Dairy Board and the "two-tier" price-support mechanism, are a step in the right direction.

Composed of representatives from the diary farming community, the Board would determine how much production would be needed each year to meet consumer needs. That amount would be converted into a percentage of the previous year's production.

A dairy farmer would be eligible to receive the full support price only for that percentage of his production which is certified as needed to meet production goals. Any additional production would receive a lower support price.

Other important features of the legislation would allow dairy farmers to conduct a referendum to create a National Milk Promotion Board, and would allow for wider distribution of surplus dairy products to needy Americans.

During debate on H.R. 6892, opponents pointed out that there are potential pitfalls in the new price support mechanism. They noted that the Dairy Board could become a nonresponsive bureaucracy. They said that there were insufficient disincentives to overproduction.

Mr. Speaker, I have conducted an informal poll among dairy farmers in my district. I have found that these farmers, who operate some of the most efficient dairy farms in the Nation, favor the new price support mechanism of H.R. 6892 by roughly a 3-to-2 margin. I feel that this figure, unscientific though it may be, indicates the strong sense which exists in the dairy community that something must be done to solve overproduction problems. It was in large part because of this sense that I voted in favor of H.R. 6892 on Tuesday.

I think we should all be aware, however, that a significant minority of dairy farmers are concerned about the potential for the Dairy Board to degenerate into yet another nonresponsive Federal bureaucracy. Should reforms in the dairy program along the lines of those contained in H.R. 6892 be enacted, as I sincerely hope they will be, we must be alert to this potential danger.

Simply stated, I believe that the reformed dairy price support system affords us both an opportunity and a challenge. The opportunity is to slow the flow of dairy products into the Federal reserves; to reduce the costs of the program to taxpayers by up to $1.3 billion next year; and to create a better economic climate for dairy farmers. The challenge is to insure that the new mechanism is used properly, and is responsive to the interests of those it is designed to serve.

I share the view of 60 percent of the dairy farmers in Pennsylvania's 11th Congressional District that the dairy provisions of H.R. 6892 are needed. I urge my colleagues to continue to support their enactment.●

HAPPY 20TH BIRTHDAY TO SEAL BEACH LEISURE WORLD

HON. DAN LUNGREN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. LUNGREN. Mr. Speaker, 2 weeks ago, on July 31, I had the distinct pleasure of celebrating the 20th anniversary of the Seal Beach Leisure World.

This Leisure World is of course the very first senior citizen retirement community in the Nation. It was on June 8, 1962, when residents first began moving into Leisure World. Since then the 6,482 apartments in the community have long been sold out.

Except for commercial stores, the approximately 9,000 residents of the Seal Beach Leisure World live in a virtually self-sufficient community. This includes their own security as well as a medical clinic. A truism which Life magazine picked up in 1963 is that in "Leisure World there is no leisure." This remains true today as residents have many recreational and community facilities to become involved with. These include: A 9-hole, par-3, golf course with putting green; swimming pool; therapy pool; lapidary shop; 2 woodworking shops; 2 art and ceramic studios; 2 sewing rooms; 4 pool and billiard rooms; 2 horseshoe courts; 2 roque courts; 16 shuffleboard courts; 5 lawn bowling lanes; amphitheater, 2,500 seating capacity with complete stage; 4 clubhouses complete with 12 kitchens; and 17 meeting rooms.

It has often been stated that one is always as young as he or she is in their heart. Well, I know that the average age of the residents is 76 years young and every time I visit Seal Beach Leisure World I am reminded that the senior years of one's life really can be among the very best.

Mr. Speaker, in celebration of Seal Beach Leisure World's 20th anniversary, I would like to share with my colleagues in the U.S. House of Representatives an excellent article written by Margaret Newhouse, editor of the Golden Rain Leisure World News. I think my colleagues will find of particular interest many of the successes which that Leisure World has had in its 20 young years. The article follows:

[From the Golden Rain News, July 29, 1982]

COMMUNITY CELEBRATES ITS 20TH ANNIVERSARY

(BY MARGARET NEWHOUSE)

The community will pause for a fond look backward, residents will take time out from their manifold activities Saturday, July 31 to observe the 20th anniversary of Seal Beach Leisure World.

The Golden Rain Foundation has put together a day-long schedule of commemorative events from 10 a.m. to 3 p.m. in St. Andrews Clubhouse No. 4.

Area dignitaries have been invited.

A film of the early days will be shown and local musical groups will perform. The celebration will be topped off with the appearance of two popular stars from the Lawrence Welk Show for an evening performance in the Ampitheater.

Everyone is invited, of course, and a large crowd is anticipated by the refreshment committee as well as by the organizers of this historic celebration.

Unless, of course, people are too busy pursuing the fabled life of retirement to attend the event. From the beginning of this cooperative design-for-living the community has worn the tag-line, "In Leisure World there is no leisure."

This was a standard saying among early residents, according to an article about retirement towns including Leisure World, in the Nov. 8, 1963 issue of Life magazine.

The article pointed out the tangible attractions that had drawn 8,000 residents to the area: three clubhouses, a golf course, a swimming pool, 2,500 seat Amphitheater, buses for free transportation and extensive medical facilities. It noted the many clubs and free lessons in bridge, ceramics, and dancing.

GETTING A BARGAIN

The price of an apartment was running between $11,320 and $14,000. Life's comment was: "Most residents feel they are getting a bargain, and most can well afford it. The average income is $6,000..."

Obviously, the financial facts of life have changed since the early days. In other ways the living is not so different today.

Some of the clubs that contribute to community life now were being launched. The Life article pictured the Men's Chorus giving forth with a song advising ladies to "tint your hair and keep it curled, and stalk your prey at Leisure World."

One lady may have taken their advice: Genevieve Daugherty was the first bride to be married on the premises, Sept. 15, 1963 in Northwood Clubhouse No. 3. Conversely, the stalking may have been on the other foot, so to speak. The bridegroom Henry McKinley "made himself so indispensable" the lady acquiesced. "We need each other so much," she said.

In 1963 "retirement towns" were relatively new and were reported to be the biggest private housing projects being built in the United States.

Some mental health experts spoke out against the segregated communities. "Senility is a contagious disease," one said.

But Life interviewed a 77-year-old Leisure Worlder who dismissed the gloomy prognosis with an airy remark, "We have many old people here, who are very young."

Some of the youngsters were kicking up their heels on stage as members of a 58½ year-old average age chorus line of flappers in "The Scandals," a production which packed the Ampitheater for two evenings. Ask Mary Plaskett or Dorrie Walthery about the fun. They were there.

HOMEMADE FUN

A lot of the entertainment was of the homemade variety. Residents doings were reported spottily in the local press that was the forerunner of The News. Some were busy practicing for the second annual Christmas pageant. The Little Theater Group was rehearsing "A Night at the Inn."

The Leisure World Orchestra was playing for dances every first and third Friday and planned to play for a New Year's Eve dance.

Gardening was a universal occupation for the new householders. Pictured digging in front of their apartment were Mr. and Mrs. Joseph Sweetnam, 13610 Burning Tree Lane 2-L, who it was reported, received the first key to any Leisure World apartment on June 8, 1962.

More than 100 residents were attending weekly Monday night rehearsals of the Community Singing Club. Officers were Robert Titus, president; Edward Sheehan, vice president; Nita Gilliat, secretary/treasurer and Ruth Wallace, musical director.

The golf course was slated to open Saturday, Nov. 30 and there had been so much interest expressed in playing on opening day that a drawing was set up to establish reservations for starting times.

Only approximately 100 apartments were still for sale as of Nov. 20.

The Leisure World Republican Women's Club had just been chartered, the week of Dec. 18.

Church congregations were forming. The Leisure World Mission Catholic Church announced its first service the last Sunday in November. The Rev. W. J. Mullane made the announcement as the workmen were putting together the last pew.

Thanksgiving services were scheduled that year, 1963, by the (newly named) St. Theodore of Canterbury Episcopal Church and the Lutheran, Community and Catholic churches.

Toward the end of December the dart ball team members helped the Lutheran pastor Dr. Clifford B. Holland and his wife move in.

And if all went as planned the Leisure World Orchestra played for residents to dance out the year and dance in the new, a happy social occasion carried on in later years with a hired band.

In January of 1964 the new Lions Club completed its organization with the election of officers and was to receive its charter from the district governor in March. C. K. Close was named president.

The Christian Church, the Rev. Robert Graham, minister, was drafting its bylaws.

The first organization meeting of the Garden Club took place and the Coin Club was reported as being "one of the most active groups."

Leisure World continued to attract national publicity. Mabel Menke was chosen to appear on the "Queen For a Day" TV show.

Groups forming included Kiwanis and Golden Rain Toastmasters. The president of Leisure World Toastmasters, Sewell VanWormer, turned out to welcome the Golden Rain group.

An item Feb. 26 was "The Rev. Maury Whipple Bishop has arrived from the Unity School of Christianity, Lee's Summit, Mo. to be full-time minister of the Leisure World Unity Church."

Bertha C. Bruce, president pro tem, announced in March that the California Retired Teachers group was organizing.

Of wide interest was the news that a new addition to the Medical Center would open April 12 housing a physio-therapy clinic, eye-ear-nose and throat clinic and four medical suites for the use of eight doctors.

Delegate Mrs. Naomi Kettler reported April 17 that the LW Richard Baylden chapter, DAR was welcomed as the newest in the state at the recent State Convention in Coronado.

That spring the Sweet and Low chorus of approximately 50 members practiced to present a concert. the ensemble chorus would sing three compositions by Elthea Turner.

In May the LW Church of Religious Science went "over the top in the required number of members to have a full fledged church" reported the Rev. Dorothea Dyrenforth, minister.

The groundbreaking ceremony for the Community Church May 31 was announced by the Rev. Harold E. Baker, minister.

The Larks, a bird watching group was to meet.

And the homemade fun was still brewing. VWWI Barracks 2860 announced it would sponsor a contest "I Love Leisure World Because . . ." The first three lucky writers would win a four-day all expense trip to the New York World's Fair.

KEO planned a similar contest.

The Leisure Worlders, a square dance group celebrated its first anniversary. Al Colcough was president and caller.

The second baking contest for residents, a repeat of a successful event held in February, was announced in May. Rules were strict: "No packaged items will be eligible."

A headline May 29 proclaimed "Sale of New Design Manors Begun In Last Unit—No. 15."

New officers of the Senior Rotarians were chosen. Harry Schaffer was president.

THE SCANDALS

Bigger and better, the "Leisure World Scandals" played the Amphitheater July 18 and 19 with a cast and crew of more than 200. The show presented "an amusing if not truthful, view of the 'Seven Ages of Leisure World' from 'infancy' through 'the gracious years.'

"The skits, mainly pantomimes, poke fun at those who take themselves and life too seriously, and provide Leisure Worlders the opportunity to a laugh at their own follies and problems."

A comic character Jerry Atrics was portrayed by George Reish; a song and dance routine was performed by Bob Titus and Jessie Jenkins; skits included "This Is the World That Is," based on the popular TV show "That Was the Week That Was;" and a "Dear Abby" skit by Dora Walthery and Gordon Hayward.

"It is hoped that the ridiculous antics of our Leisure World 'teenyearers' will be somewhat balanced by the harmony of our Barbership Quartet and the Beauty of the square and round dancers," Hap Hazard, stage veteran and producer of the show, commented.

Beautification projects were blossoming. A headline Aug. 21 stated "7 Trees Planted In/Trail Blazer Project" (at the intersection of El Dorado and Oakmont), according to a plan outlined by the Garden Club Tree Planting Committee and the Grounds Committee.

In September a Men's Republican Club was formed with Deane Davis presiding at the first meeting.

A Home Talent night show was planned in the Amphitheater Sept. 19.

ACTING THEIR AGE

More than 100 clubs were listed in Sept. 1964. A member of the Leisure World Square Dancers summed up the spirit of conviviality that encouraged the newly retired to heightened enjoyment of life. She said, "I wouldn't dream of doing this back in Nebraska—but here it's different. There's no youngsters around to watch us whoopee it up, we can act our age."

Not all the creative energy was expended on the Amphitheater stage. That fall the second annual Festival of Arts and Crafts was scheduled. It would present creations of 64 organizations and individuals.

Resident's access to the surrounding area attractions was enhanced in October with the opening of "A nearly 100-mile strip of San Diego Freeway connecting Leisure World with the entire freeway complex of Southern California."

In November plans were shaping up for what was to become a colorful event that would stand out in memory as one of the annual community undertakings.

"A mile long Armistice Day parade with more than 200 gayly decorated vehicles is expected when the 'Leisure World on Wheels' parade of trikes, bikes and electric carts rolls down St. Andrews Drive Nov. 11.

"At latest count, 112 trikes, 40 bikes and 31 electric carts will participate in the parade."

The parade was followed by an Armistice Day program which would include visiting dignitaries, clergymen, bands (the Star Club Kitchen Band plus the Marina High School Band of Huntington Beach). Prizes were offered for the best costumed riders. Clowns and trick rides enlivened the procession.

"Historical themes found pilgrims marching side by side with pioneers and their covered wagons. Indians danced as their squaws waived fresh 'scalps' . . . electric carts, some so minutely decorated they resembled miniature floats in the Rose Bowl parade," took part.

A color guard of veterans of World War I led off in what was termed "the biggest most colorful Armistice Day parade in Orange County.

"It was observed with the dignity of an appropriate program but undeniably, with a touch of festivity during the preceding parade," the writer reported.

Progress was noted on another front: "The business office has recently moved into a mobile trailer in back of the United California Bank."

The religious life of the community, which from the outset had not been neglected, grew in scope.

"The first step toward unification of religous life at Leisure World was taken Tuesday, Nov. 12 when leaders of 14 denominations met and formally organized the first Religious Council of Leisure World," according to the Rev. H. Carl Roessler, Religious Director.

The roster of clubs now numbered 52.

January 14 it was reported, "The Rev. Mr. Frank V. D. Fortune assumed duties last Sunday as minister of the St. Theodore of Canterbury Episcopal Church."

Meantime, residents were avidly seeking new friends to fill the void of friends and family left behind in the move to new surroundings.

HOMETOWN REGISTRATION

"More than 7,000 replies to a recent Hometown Registration Survey have been returned (Feb. 11, 1965) by residents to the LW Resales, Inc."

The Women's Club, celebrating its second anniversary, was said to be the second largest club in the Orange District.

As might have been predicted, "An overflow crowd attended the first World Day of Prayer service to be observed in Leisure World."

Theatricals flourished. "With four members of the Leisure World Little Theater Group in the cast, the Play "Suds In Your Eye" got off to a flying start last Friday night at the Peppermint Playhouse, 124 Main St., Seal Beach."

The little city by the sea was erecting its own milestones. An item in April 1 read "Leisure World will join with the City of Seal Beach in the celebration of the city's 50th anniversary which officially got underway with the issuance of a mail cancellation die this week commemorating the Golden Jubilee."

Leisure World was still attracting the attention of a world curious to see this "Eden-like" place sprouting on the California coast.

Which reminds one of the old saying "The more the change the more it is the same thing." Consider this comment quoted in the March 11, 1965 newspaper "Maybe some day we will see a Leisure World in Tokyo."

These were the parting words of Japanese visitor Katsuyoshi Uyama to community relations director, James H. Gormsen, following a tour of Leisure World Friday.

Sound familiar?

They say the first years are the hardest and they are probably right. At any rate, a brief glimpse at some of the highlights of the early years here reveals that the road may have been rocky, but the travelers had a lot of fun along the way.

The new experiment in retirement living was watched by outsiders with many a doubt expressed as to its future.

It is to the credit of the pioneer move-ins and all community-minded people who have followed that Leisure World, contrary to some predictions, established itself as an eminently desirable place to live and remains so.

The community has grown up. Some of the homemade fun has been supplanted by professional entertainment. Lawrence Welk is packing them in in the Amphitheater as once did the "Leisure World Scandals."

The world is still knocking at our door, notebook and camera poised. How many touring groups from how many countries have stopped by lately to have a look at how our community runs?

Within recent memory are a group of doctors, executives and educators from Japan, a Japanese construction company, an Australian television documentary filming crew, an Australian real estate conglomerate and retirement housing builders from Israel.

And, a heartwarming circumstance, other visitors came not primarily to admire the obvious—the fine physical plant and spacious well-tended grounds.

They asked probing questions about the efficient government. A research team came from the University of Florida to study the longevity and quality of life of the residents.

Perhaps the nicest compliment of all, a television station came to interview some of our Leisure World couples who have stayed happily married for 60 years.

That all says a lot for the first 20 years of Leisure World Seal Beach. Residents may be pardoned a glow of pride as they look back over the years Saturday.●

SENDING TAX BILL TO CONFERENCE TRAMPLES CONSTITUTION

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. PORTER. Mr. Speaker, the constitution was badly trampled last week in Washington when the House totally abdicated to the Senate its responsibility to initiate the tax bill. Article 1,

section 7 of the Constitution provides that "All bills for raising revenue shall originate in the House of Representatives . . ."

Instead, the Senate held hearings, drafted a tax bill in Senator DOLE's Finance Committee, debated and considered amendments to it on the Senate floor, adopted it and sent it over to the House of Representatives.

The House Ways and Means Committee held no hearings and drafted no legislation, and the House itself had no debate on raising revenue and considered no amendments, but merely, by motion, sent the Senate bill—with a House bill number on it—directly to conference committee.

The conferees, a few from the House, a few from the Senate, will determine what this bill will contain, and there will be one vote, up or down, on its adoption. If it comes out anything like what went in, it will be a bill raising taxes over 3 years by $100 billion—the largest tax increase in U.S. history—affecting Americans across the entire economic spectrum in essential and important ways—their livlihoods, their abilities to produce and consume, and their proclivities to save and invest.

So what that the House did not initiate or even consider this vital matter? So what that there were no hearings or debates or amendments?

Well, the Founding Fathers did not just throw that provision giving the House exclusive power to initiate revenue matters in there to even up with the Senate's exclusive power to advise and consent to treaties. No, they had something far more fundamental in mind. You will recall that England had levied tax after tax on its colonies without consulting them or their people for a moment. The Boston Tea Party dramatized it; the Declaration of Independence articulated it. If there was one grievance more on their minds in 1776 than any other, it was taxation without representation.

So, when they sat down 11 years later to write a constitution, they wanted the taxing power to be most under control of and responsive to the people. And they put it—very intentionally—squarely where the people would have the greatest say-so: in the House of Representatives, whose Members have to face judgment of the people every 2 years, unlike the Senators, who have the long and insulated tenure of 6 years without fear of rejection.

No, I do not want the Senators—God love the wonderful gentlemen—writing tax laws for me. I want someone having that responsibility who has got to come back to me very soon for my approval. That is what the Founding Fathers wanted and exactly what they constructed to protect us.

Two hundred years later there are some—far too many—in the Congress who do not care, do not think you will notice or care, and who walk upon our basic law with apparent impunity. Perhaps those who trample the genius of our system so readily ought to be the first to receive its recall notice.●

WATER THE COAL SLURRY BILL

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. WILLIAMS of Montana. Mr. Speaker, in the current debate regarding the granting of eminent domain to coal slurry pipeline companies, there are some misconceptions regarding the question of water. I have assembled this factsheet to dispel any misconceptions on the important aspect of State water rights protection.

First myth: Current language in both the House bill, H.R. 4230, and the Senate bill, S. 1844, adequately protects the State's right to control its water.

Fact: This assumption is simply not true. Traditionally, the only mechanism that States have had for the reservation of water has been so-called water export bans. On July 2, 1982, the Supreme Court struck down the Nebraska water export ban. The case, Sporhase and Moss against the State of Nebraska, is a far-reaching and complicated case; but one thing is certain: No State law that bans the export of water on totally arbitary grounds can withstand a constitutional court test. Some 19 Western States rely on these bans to protect water.

Both bills contain language deferring to State water laws, but there is no language in either bill even purposting to delegate to the States legislative authority over the use of water in interstate coal slurry pipelines. In the Nebraska water case, the State of Nebraska relied on language in 37 Federal statutes and a number of interstate compacts as being congressional authorization for and approval of the Nebraska statute involved in the case. The language, practically the same in each of the 37 Federal statutes, was quoted by the Court in the opinion, as follows:

> Nothing in this Act shall be construed as affecting or intended to affect or to in any way interfere with the laws of any State or territory relating to the control, appropriation, use, or distribution of water used in irrigation.

The Supreme Court held that the quoted Federal statutory language only "demonstrate[s] Congress' deference to State water law." That language did not protect the Nebraska law. The Supreme Court held the provision of the Nebraska law invalid.

The State water law in H.R. 4230 is practically identical to the quoted language which the Supreme Court held to be merely a "deference" to State water law. By no stretch of the imagination could that language in H.R. 4230 be called a "delegation" of legislative authority to the States.

There is no basis in the bill for the assertion that, "If any State doesn't want its water used for a coal slurry pipeline, the pipeline won't be built." No language in the bill can be construed to have that meaning. If coal slurry promoters are sincere, why do their bills not provide specifically that: "If any State doesn't want its water used for a coal slurry pipeline, the pipeline won't be built."?

Second myth: Both H.R. 4230 and S. 1844 meet the Supreme Court decision in the Nebraska water case.

Fact: Neither bill even purports to overturn the Nebraska water case and neither bill even attempts to deal with the issues raised by the case. Neither bill attempts to give State law the protection which the Supreme Court says Congress can give to State law. If this legislation were to become law and the Nebraska law involved in the Sporhase case were challenged as a basis for refusing to allow Nebraska water to be transported to Colorado for use in a coal slurry pipeline originating in Colorado, that Nebraska law would be held invalid. This legislation would provide no protection for that Nebraska law in that situation.

Third myth: Amendments have been offered in the Senate to correct the Nebraska water decision.

Fact: The fact simply is those amendments to S. 1844 do not correct the problems produced under Sporhase. Nowhere in these amendments is there a delegation of the Federal right to appropriate water. Nowhere in the bill do the words "delegate" or "delegation" appear. Language in the amendments is so vague that it is not at all clear that it would extend to protect State export statutes. The Supreme Court was clear: Congress must speak specifically to delegate its right to adjudicate water. Anyone reading the Senate language can see that it is not specific enough to be an outright delegation of the congressional right.

Fourth myth: Water is no problem because the committees have adequately discussed this issue.

Fact: In spite of urging by myself and others in Congress, there have been no water hearings in any of the three committees that have heard this bill. No experts on the question of water, no Governors, no concerned citizens have testified in the House during this session. The Senate has had 1 day of water hearings, and testimony was limited.

Fifth myth: The coal slurry bill is the vehicle by which to solve problems raised by the Sporhase case.

Fact: This is the most shortsighted of all statements. There are funda-

mental problems with attempts to correct the Sporhase in the context of a coal slurry bill. There is no assurance whatsoever in the political process surrounding coal slurry that effective language will eventually emerge after conference protecting the interests of the Western and Midwestern States. The Congress would be better advised, if it intends to protect the States' interests, to proceed with a bill dealing with the Sporhase issue first, rather than placing these fundamental State interests into the political turmoil of a coal slurry bill. Any legislation dealing with State water rights is an issue of vital importance to the people of this Nation. Some say that water will be the most important issue in the 1980's. This type of issue deserves extensive hearings that call upon Governors, water experts, and State attorneys general.

Should the Congress proceed with a coal slurry bill first, without resolving the Sporhase issues, it would jeopardize the ability of the States to control the availability of their water to coal slurry pipelines, since legislation dealing with Sporhase would not be in place at the time of enactment of a coal slurry bill, and therefore could not be construed to be legislation within the contemplation of any coal slurry legislative protections for water.

Sixth myth: The water problems of States that share a water source are addressed in legislation currently under consideration.

Fact: One of the most serious omissions in either bill is the absence of language dealing with the situation where States share water sources. Inevitably, the grant of Federal eminent domain powers will encourage substantial water sales and diversions to slurry pipelines from existing aquifers and river beds. As demonstrated by the recent $1.4 billion sale of water by South Dakota to the ETSI coal slurry pipeline, there will be strong temptations for States to make major water sales at the expense of their neighbors' shared water rights. Since virtually every State is downstream from some other State, this is likely to be a growing problem. Second, particularly in the West, most of the significant underground water formations are shared with other States. Because groundwater is replenished so slowly, a significant diversion from one State may have a major impact on the availability of groundwater in neighboring States sharing the water formation.

Both bills fail to take cognizance of this emerging problem over the allocation of shared water sources. Because of its silence on this issue, it will encourage unilateral action by States to the serious detriment of their neighbors. The problem is exacerbated by the fact that coal slurry pipelines will tend to set off a water pricing war, particularly in the West and Midwest.

Amendments were offered in the Interior Committee as well as Public Works attempting to deal with this question; neither passed. This interest, however, shows how important this question is.

CONCLUSION

These are only six of the problems I see with the current round of legislation. The problems of private land condemnation, no common carrier obligation, no true consumer protection against construction cost overruns, and the tremendous loss of long-term rail jobs in exchange for some short-term construction jobs are not addressed in this fact sheet, but remain major stumbling blocks in the granting of eminent domain to coal slurry pipeline companies. I attempt only to address the water issue.

One important point should be made, however: H.R. 4230 and S. 1844 are not coal slurry bills—they are eminent domain bills. Coal slurry pipelines are being built without these pieces of legislation, and the only thing being granted is the awesome Federal power to condemn land for corporate gain.

I hope this discussion is helpful.●

THE PLO IS A CANCER

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 13, 1982

● Mr. BINGHAM. Mr. Speaker, I do not always agree with the columnist James J. Kilpatrick, but in today's Washington Post, he has eloquently called a spade a spade in his analysis of the PLO. He correctly places the blame for the destruction and the bloodshed in Lebanon on the PLO and its leader, Yasser Arafat. Mr. Kilpatrick's column follows:

THE PLO IS A CANCER

For the past two months, night after night on the evening TV news, all of us have gazed in dismay upon the suffering in Lebanon, and night after night the same implicit message has flashed subliminally across the screen: the Israelis are responsible for this. It is high time, it seems to me, to put the lie to this insidious nonsense. Let us place the blame for the destruction and bloodshed squarely where it belongs, on the shoulders of that smirking monster with the maniac grin on his face, Yasser Arafat, leader of the PLO.

From the moment of its creation as a modern state in 1948, Israel has asked but one thing of its Arab neighbors—to live in peace. It is irrelevant to the current situation that in times past Prime Minister Menachem Begin and Defense Minister Ariel Sharon engaged in their own terrorism; we might with equal acuity review the history of Babylonians, Greeks, Persians, Romans, Mamelukes and Ottomans. The issue at hand has to do with Lebanon today. Why are the Israelis there? And who is responsible for the suffering inflicted upon innocent civilians?

The Israelis attacked the PLO for one reason only—because the provocations of the PLO at last had become unbearable. In this regard, we may recall the story of another long-suffering people who resorted to arms when their repeated petitions were answered only by repeated injury. Is that line familiar? It should be familiar. This was the justification advanced by our own forefathers for the American Revolution. Israel has no quarrel with the Palestinian Arabs as a people. Israel's rage is directed at that formless, shapeless nonentity of an entity, the Palestine Liberation Organization. The PLO has none of the trappings of sovereignty or statehood, but it is treated as sovereign state. The PLO's chieftain swaggers to the United Nations to address the nations of the world; the PLO maintains an army supplied and equipped by the Soviet Union; here in the United States we talk constantly of "recognizing" the PLO.

What a fiction! The PLO is not a state. It is a cancer. Like other cancerous lesions, it must be cut out, roots and all, before the malignancy spreads. Left alone, whether through fear of surgery or hope or remission, cancer only gets worse. Who is to blame for the suffering in Beirut? Who prolongs the agony? The PLO moved into that beautiful and inoffensive city like a gangster mob, terrorizing the inhabitants. Aided and abetted by the Soviet Union, the PLO made Beirut a headquarters for international terrorism. With its stunning defeat at the hands of Israeli troops, the PLO reacted in the most cowardly and contemptible fashion: it took the civilians of Lebanon as hostages, and hid behind them while it stalled for time.

It would take a heart of stone not to be moved by the pictures we have seen from Lebanon—the old women weeping, the infant whose arms were blown off. Every humanitarian instinct cries out for cessation. But the smoke from the burning buildings of Beirut should not blind us to this fact—that the PLO could have ended the carnage at any time by laying down its arms and walking out. Arafat chose to fight. The blood is on his hands.●